CONSTITUTION OF THE UNITED STATES

AMENDMENT (IV.)

Searches and seizures

The right of the people to be secure in their persons, houses, papers, and effects against unreasonable searches and seizures, shall not be violated, and no Warrants shall issue, but upon probable cause, supported by Oath or Affirmation, and particularly describing the place to be searched, and the persons or things to be seized.

AMENDMENT (V.)

Capital crimes; double jeopardy; self-incrimination; due process; just compensation for property

No person shall be held to answer for a capital, or otherwise infamous crime, unless on a presentment or indictment of a Grand Jury, except in cases arising in the land or naval forces, or in the Militia, when in actual service in time of War or public danger; nor shall any person be subject for the same offence to be twice put in jeopardy of life or limb; nor shall be compelled in any criminal case to be a witness against himself, nor be deprived of life, lib

erty, or property, without due process of law; nor shall private property be taken for public use, without just compensation.

AMENDMENT (VIII.)

Excessive bail, fines, punishments

Excessive bail shall not be required, nor excessive fines imposed, nor cruel and unusual punishments inflicted.

AMENDMENT (IX.)

Construction of enumerated rights

The enumeration in the Constitution, of certain rights, shall not be construed to deny or disparage others retained by the people.

AMENDMENT XIII.

§ 1. Slavery abolished

Section 1. Neither slavery or involuntary servitude, except as a punishment for crime whereof the party shall have been duly convicted, shall exist within the United States, or any place subject to their jurisdiction.

AMENDMENT XIV.

§ 1. Citizenship rights not to be abridged by states

Section 1. All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the State wherein they reside. No State shall make or enforce any law which shall abridge the privileges of immunities of citizens of the United States; nor shall any State deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws.

ARIZONA CONSTITUTION

ARTICLE III
DISTRIBUTION OF POWERS

The powers of the government of the State of Arizona shall be divided into three separate departments, the Legislative, the Executive, and the Judicial; and, except as provided in this Constitution, such departments shall be separate and distinct, and no one of such departments shall exercise the powers properly belonging to either of the others.

ARTICLE IV
LEGISLATIVE DEPARTMENT
PART I. INITIATIVE AND REFERENDUM

Sec. 1982. - Civil action for deprivation of rights

Every person who, under color of any statute, ordinance, regulation, custom, or usage, of any State or Territory or the District of Columbia, subjects, or causes to be subjected, any citizen of the United States or other person

within the jurisdiction thereof to the deprivation of any rights, privileges, or immunities secured by the Constitution and laws, shall be liable to the party injured in an action at law, suit in equity, or other proper proceeding for redress, except that in any action brought against a judicial officer for an act or omission taken in such officer's judicial capacity, injunctive relief shall not be granted unless a declaratory decree was violated or declaratory relief was unavailable. For the purposes of this section, any Act of Congress applicable exclusively to the District of Columbia shall be considered to be a statute of the District of Columbia.

ARTICLE 4, PART 1, SECTION 1

§ 1. Legislative authority; initiative and referendum

Section 1. (1) **Senate; house of representatives; reservation of power to people**) The legislative authority of the State shall be vested in a Legislature, consisting of a Senate and a House of Representatives, but the people re serve the power to propose laws and amendments to the Constitution and to enact or reject such laws and amendments at the polls, independently of the legislature; and they also reserve, for use at their own option, the power to approve or reject at the polls any Act, or item, section, or part of any Act, of the Legislature.

Fed. R. Civ. P. Rule 56(c)

Motion and Proceedings Thereon. The motion shall be served at least 10 days before the time fixing for the hearing. The adverse party prior to the day of hearing may serve opposing affidavits. The judgment sought shall be rendered forthwith if the pleadings, depositions, answers to interrogatories, and admissions on file, together with the affidavits, if any, show that there is no genuine issue as to any material fact and that the moving party is entitled to a judgment as a matter of law. A summary judgment interlocutory in character, may be rendered on the issue of liability alone although there is a genuine issue as to the amount of damages.

ARIZONA REVISED STATUTES

§ 28-1062. Certification of Uniform traffic complaint forms; certification; false certification

A. Uniform traffic complaint forms need not be sworn to if they contain a form of certification by the issuing officer in substance as follows:

"I hereby certify that I have reasonable grounds to believe and do believe that the person named herein committed the offense or civil violation described herein contrary to law."

B. A false certification under the provisions of subsection A constitutes perjury

Added by Laws 1962, Ch. 67, § 1. Amended by Laws 1983. Ch. 271. § 48, eff. Jan. 1, 1984.

§ 28-1561. Certification of uniform traffic complaint forms; false certification

– A. Uniform traffic complaint forms need not be sworn to if they contain a form of certification by the issuing officer in substance as follows: "I hereby certify that I have reasonable grounds to believe and do believe that the person named herein committed the offense or civil violation described here in contrary to law."

B. A false certification under the provisions of subsection A is perjury.

Added as § 28-3761 by Laws 1995, Ch. 132, § 3, eff. Oct. 1, 1997/ Renumbered as § 28-1561 by Laws 1995, Ch. 76, § 6, eff. Oct. 1, 1997.

Section 11-2-18 Presumptive Operator 48, 153, 172

A. If any vehicle unoccupied by a licensed driver is found upon a street or roadway in violation of any provision of this Article Title 28, Chapter 6, Article 14 of the Arizona Revised Statutes; or if any vehicle has been driven in violation of the speed restrictions of this Article or Title 28, Chapter 6, Article 6 of the Arizona Revised Statutes or A.R. S. 28-797, then proof of the identify of the person in whose name such vehicle is registered pursuant to Title 28, Chapter 3 of the Arizona Revised Statutes may be sufficient evidence that such person was responsible for such violation, in the absence of probative contrary evidence and if the magistrate is so persuaded.

B. Nothing in this Section shall limit the defenses to or evidence otherwise probative and admissible concerning such violation or responsibility therefore.

C. The registered owner of such violation, if not the person responsible for such violation, shall upon request inform the magistrate or Town attorney of the iden tify of the person responsible for such violation, if known.